

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT WINCHESTER**

UNITED STATES OF AMERICA)	
)	Case No. 4:19-cr-16
v.)	
)	Judge Travis R. McDonough
JOSEPH SANTOS PENA)	
)	Magistrate Judge Susan K. Lee
)	

ORDER

Magistrate Judge Susan K. Lee filed a report and recommendation recommending that the Court: (1) grant Defendant's motion to withdraw his not-guilty plea as to Count One; (2) accept Defendant's guilty plea as to Count One; (3) adjudicate the Defendant guilty of Count One; and (4) order that Defendant remain in custody until sentencing in this matter (Doc. 21). Neither party filed a timely objection to the report and recommendation. After reviewing the record, the Court agrees with Magistrate Judge Lee's report and recommendation. Accordingly, the Court **ACCEPTS** and **ADOPTS** the magistrate judge's report and recommendation (Doc. 21) pursuant to 28 U.S.C. § 636(b)(1) and **ORDERS** as follows:

1. Defendant's motion to withdraw his not-guilty plea as to Count One of the Indictment is **GRANTED**;
2. Defendant's plea of guilty to Count One is **ACCEPTED**;
3. Defendant is hereby **ADJUDGED** guilty of Count One; and
4. Defendant **SHALL REMAIN** in custody until sentencing in this matter which is scheduled to take place on **March 20, 2020 at 2:00 p.m. [EASTERN]** before the undersigned.

SO ORDERED.

/s/Travis R. McDonough

**TRAVIS R. MCDONOUGH
UNITED STATES DISTRICT JUDGE**